

SUMMARY OF INCIDENT

| | | | |
|-------------------------------------|------------------|------------------------------------|-----------------|
| Investigator: | Sgt. J. Marchese | Supervisor: | Capt. J. Leddy |
| Date of Report: | 9/26/88 | C.C.R.B. No.: | 1691 |
| Date and Time of Incident: | | Date and Time Reported to C.C.R.B. | |
| 4/1/88 0001 | | 5/17/88 1102 | |
| Location of incident: § 87(2)(b) | | | Precinct 018 |

| C O M P L A I N T | NAME § 87(2)(b) | STREET [REDACTED] | CITY/BOROUGH Manhattan , N.Y. | STATE 10013 | ZIP CODE |
|---|-----------------------------|----------------------|----------------------------------|----------------|----------|
| V I C T I M | § 87(2)(b) | [REDACTED] | Manhattan , N.Y. | 10019 | |
| A T T Y | Complainant Representing | | | | |
| W I T N E S S | § 87(2)(b) | | Manhattan , N.Y. | 10019 | |
| | | | Manhattan , N.Y. | 10019 | |
| | | | Manhattan , N.Y. | 10019 | |

MEMBERS OF THE SERVICE

| RANK | NAME | SUB- JECT | WIT- NESS | SHIELD NO | CMD | TAX REG NO | SERVICE TIME | AGE | ASSIGNMENT | RACE |
|------|----------|--------------|--------------|-----------|-----|------------|-----------------|-----|------------|------|
| P.O. | McCarthy | XX | | 13380 | 018 | 885671 | 3 | 24 | Patrol | W |
| P.O. | Danaher | XX | | 28288 | 018 | 885486 | 3 | 24 | Patrol | W |

| ALLEGATIONS | SOURCE | APPENDIX ENCLOSURE NO |
|---|-----------|-----------------------|
| A) It is alleged that on various times and dates over a two month period P.O. McCarthy and another unidentified officer kicked in § 87(2)(b) door and searched her apartment. | UF245 | 1 |
| B) It is alleged that the above officers grabbed § 87(2)(b) and searched her. | UF245 | 1 |
| C) It is alleged that the above officers stopped § 87(2)(b) and searched her. | UF245 | 1 |
| D) It is alleged that P.O. McCarthy was discourteous and told § 87(2)(b) to shut the fuck up. | Interview | 10 |
| E) Victim alleges an unidentified M/W PO. (Danaher) made discourteous statements and gestures. | Interview | 10 |

COMMUNICATIONS TO BE ANSWERED

| | | | |
|------------|----------------|---------------|-----------------|
| P.C. Brief | Mayor's Office | I.A.'s Review | Other (specify) |
|------------|----------------|---------------|-----------------|

SUMMARY OF INCIDENT

| | | |
|--|--|---------------------------------|
| Investigator: Sgt. J. Marchese | Supervisor: Captain J. Leddy | |
| Date of Report: 9/26/88 | C.C.R.B. No.: 1691 | Classification: F/A/D |
| Date and Time of Incident: | Date and Time Reported to C.C.R.B. | |
| Location of Incident: | Precinct | |

| | | | | | |
|---|---------------------|--------|--------------|-------|----------|
| C O M P L A I N T | NAME | STREET | CITY/BOROUGH | STATE | ZIP CODE |
| | <u>See Page One</u> | | | | |
| V I C T I M | | | | | |
| A T T Y | Representing _____ | | | | |
| W I T N E S S | | | | | |

MEMBERS OF THE SERVICE

| ALLEGATIONS | SOURCE | APPENDIX ENCLOSURE NO. |
|---|-----------|------------------------|
| F - Victim alleges that an unidentified P.O. (Danaher) pointed his gun at § 87(2)(b) [REDACTED] | Interview | 10 |

COMMUNICATIONS TO BE ANSWERED:

P.C. Brief Mayor's Office I.A.D. Review Other (Specify)

REPORT OF INVESTIGATION OF CIVILIAN COMPLAINT

SHEET "D"

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ALLEGATION A,

SUMMARY OF INVESTIGATION

C.C.R.B. No. 1691

- 1) The complainant, Mr. § 87(2)(b), identified himself as the victim's attorney stating that he had no direct information regarding the complaint other than what was supplied by the victim, § 87(2)(b). He directed me to contact her directly for further information. (enc # 2&3)
- 2) Ms. § 87(2)(b) alleged that on various dates P.O. McCarthy and Danaher had kicked in the door to her apartment and searched it. She gave the date of this as 4/1/88 and stated that the officers pushed their way in and searched the apartment. She stated that they returned again on 4/5/88 and again searched the apartment after being let in by § 87(2)(b). She stated that her mother, sister & brother were present for both incidents. (enc # 10)
- 3) The witnesses were scheduled for two different interview dates and missed both with out a call to this office. All parties are unemployed. Ms. § 87(2)(b) and Mr. § 87(2)(b) were finally located on 9/19/88 when a field trip was made to the § 87(2)(b). Both § 87(2)(b) denied being witnesses and further denied having any complaint about the police. They referred this investigator to § 87(2)(b) who was present. She became angered and refused to speak any further. (enc # 19)
- 4) P.O. McCarthy denied the allegation and stated that he has been in the building on vertical patrol due to numerous complaints of drug activity; however he stated that his only time inside to § 87(2)(b) was on an aided case on 5/17/88. (enc # 14&15)
- 5) Memorandum of Officer McCarthy reveals that on 4/1/88 he was only present for a partial tour, having requested lost time. Again on 4/5/88 he spent over half his tour on arrest processing from an occurrence at § 87(2)(b).
- 6) P.O. Danaher was interviewed and denied the allegations stating that he was on § 87(2)(b) and that he spent the majority of his 4/5/88 tour with the arrest of 8 persons from 48th St & 10 th Ave. (enc # 19&20)
- 7) § 87(2)(g)
§ 87(2)(b)

ANALYSIS/FINDING (Omit Recommendation.)

A - § 87(2)(g)
§ 87(2)(b)

REPORT OF INVESTIGATION OF CIVILIAN COMPLAINT

ALLEGATION (B)

SUMMARY OF INVESTIGATION

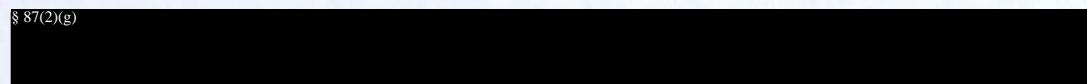
SHEET "D"

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C.C.R.B. N 1691-88

- 1) The complainant § 87(2)(b) § 87(2)(b), stated that he was advised by § 87(2)(b) that she stated her sister § 87(2)(b) was stopped and searched by P.O. McCarthy and P.O. Danaher on 5/6/88.(Enc#2)
- 2) Ms. § 87(2)(b) failed to contact this office after two appointments arranged by her sister § 87(2)(b) which she failed to keep and three visits which were made to the home by this investigator ; each time a letter or business card was left at the door or with a family member. (enc # 3,7,8,11
12,16&19)

§ 87(2)(g)



ANALYSIS/FINDING (Omit Recommendations)

§ 87(2)(g)



REPORT OF INVESTIGATION OF CIVILIAN COMPLAINT

SHEET "D"

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ALLEGATION I**SUMMARY OF INVESTIGATION**

C.C.R.B. No. 1691-88

- 1) The complainant, § 87(2)(b), stated that he was informed by § 87(2)(b) that her mother, § 87(2)(b) was stopped and searched by P.O. McCarthy and P.O. Danaher on 5/9/88. (enc # 2)
- 2) The alleged victim missed two appointments arranged for her by her daughter § 87(2)(b). On the third visit to the apartment Ms. § 87(2)(b) was located and denied the allegation stating she had no complaint and was not a witness to any allegation. She referred me to her daughter § 87(2)(b) who was present. (enc # 19)
- 3) P.O. McCarthy denied the allegation and stated that he was at court the entire tour on 5/9/88, department records concur. (enc # 14&15)
- 4) P.O. Danaher denied the allegation and records reveal that he spent the majority of his tour out with a burglary arrest. (enc # 19&20)
- 5) § 87(2)(g)

ANALYSIS/FINDING (Omit Recommendations)

§ 87(2)(g)

REPORT OF INVESTIGATION OF CIVILIAN COMPLAINT

SHEET "D"

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ALLEGATION (D)**SUMMARY OF INVESTIGATION**

C.C.R.B. No. 1691-88

- 1) The victim § 87(2)(b) stated that P.O. McCarthy told her to shut the fuck up. (enc # 10)
- 2) P.O. McCarthy denied the allegation . (enc # 14)
- 3) All potential witnesses are uncooperative. (enc # 3,7,8,11,12,16,&19)
- 4) § 87(2)(g) [REDACTED]

ANALYSIS/FINDING (Omit Recommendations)

§ 87(2)(g) [REDACTED]

REPORT OF INVESTIGATION OF CIVILIAN COMPLAINT

SHEET "D"

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ALLEGATION (E)**SUMMARY OF INVESTIGATION**

C.C.R.B. No. 1691

- 1) Ms. § 87(2)(b) stated at interview that P.O. Danaher made discourteous remarks and gestures while present in her apartment. (enc # 10)
- 2) P.O. Danaher stated at interview that he has never been present in the § 87(2)(b) apartment, and further denied using any discourteous remarks or gestures while engaged in patrol related to this case. (enc # 19)
- 3) § 87(2)(g) [REDACTED]

ANALYSIS/FINDING (Omit Recommendations)

§ 87(2)(g) [REDACTED]

REPORT OF INVESTIGATION OF CIVILIAN COMPLAINT

SHEET "D"

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ALLEGATION (E)**SUMMARY OF INVESTIGATION**

C.C.R.B. No. 1691

- 1) Ms. § 87(2)(b) stated at interview that P.O. Danaher pointed his gun at § 87(2)(b) while in her apartment. (enc # 10)
- 2) P.O. Danaher denied ever pointing his gun at Mr. § 87(2)(b) and denied being in the § 87(2)(b) apartment. (enc # 19)
- 3) Mr. § 87(2)(b) was located at the § 87(2)(b) apartment on 9/19/88. He refused to be interviewed, denied he had any complaint or that he encountered any difficulties with the police at the § 87(2)(b) apartment. He referred me to Ms. § 87(2)(b) who was present at the time. (enc # 19)
- 4) § 87(2)(g)
§ 87(2)(b)

ANALYSIS/FINDING (Omit Recommendations)§ 87(2)(g)
§ 87(2)(b)